

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KAYLA BABCOCK, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES JASON BABCOCK,

Respondent-Appellant

and

LISA WHALEN,

Respondent.

UNPUBLISHED

June 22, 2001

No. 229069

Macomb Circuit Court

Family Division

LC No. 97-044265-NA

Before: Sawyer, P.J., and Griffin and O'Connell, JJ.

MEMORANDUM.

Respondent father appeals from an order of the probate court terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). We affirm.

In making a termination decision, the trial court must engage in a two-step analysis. First, it must determine if a statutory ground for termination has been established by clear and convincing evidence. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999). Second, if a statutory ground has been established, the trial court must terminate parental rights unless there exists clear evidence on the whole record that it is not in the child's best interests to terminate parental rights. *In re Trejo Minors*, 462 Mich 341, 354; 603 NW2d 787 (2000).

The Court has carefully reviewed the record on appeal, the opinion of the trial court, and the parties' briefs. We are not persuaded that the trial court erred in finding that the statutory grounds for termination were met and that it was in the best interests of the child to terminate the

parental rights. Accordingly, we find no abuse of discretion by the trial court in terminating respondent's parental rights.

Affirmed.

/s/ David H. Sawyer
/s/ Richard Allen Griffin
/s/ Peter D. O'Connell